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5 Attorneys for Defendant

6 IN THE UNITED STATES DISTRICT COURT
7
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 ROBERT B. BLUM,

10 Plaintiff,

11 v.

12 JO ANNE B. BARNHART,
13 Commissioner of
Social Security,

14 Defendant.
15

CASE NO. **2:04-CV-00911-KJM**

STIPULATION AND [proposed]
ORDER SETTLING ATTORNEY'S
FEES AND COSTS PURSUANT TO
THE EQUAL ACCESS TO JUSTICE
ACT

16 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
17 subject to the approval of the Court, that counsel for Plaintiff be awarded attorney's fees under the
18 Equal Access to Justice Act (EAJA) in the amount of FIVE THOUSAND SIX HUNDRED AND
19 00/100 DOLLARS (\$5,600.00), and costs in the amount of ONE HUNDRED FIFTY AND 00/100
20 DOLLARS (\$150.00), said amounts together representing compensation for legal services rendered
21 on behalf of Plaintiff by her attorney in accordance with 28 U.S.C. § 2412(d).
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23 This stipulation constitutes a compromise settlement of counsel for Plaintiff's request for all
24 fees, costs, and expenses under the EAJA, and does not constitute an admission of liability on the part
25 of Defendant under the EAJA. Payment in the amount of FIVE THOUSAND SIX HUNDRED AND
26 00/100 DOLLARS in fees (\$5,600.00) and ONE HUNDRED FIFTY AND 00/100 DOLLARS
27 (\$150.00) in costs, shall constitute a complete release from and bar to any and all claims counsel for
28 Plaintiff may have relating to EAJA fees, costs, and expenses in connection with this action, but such

award will not prejudice any future request for attorney's fees under the Social Security Act, 42 U.S.C. § 406(b).

The parties further stipulate that counsel for Plaintiff will provide a facsimile of this stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes counsel for Defendant to file this document in PDF format under the latter's Electronic Case Filing password, pursuant to Local Rule 7-131.

DATED: January 5, 2006

/s/ Ann M. Cerney
ANN M. CERNEY

Attorney for Plaintiff

DATED: January 5, 2006

McGREGOR W. SCOTT
United States Attorney

By: /s/ Bobbie J. Montoya
BOBBIE J. MONTOKA
Assistant U. S. Attorney

Attorneys for Defendant

OF COUNSEL

LUCILLE GONZALES MEIS
Chief Counsel, Region IX

NANCY M. LISEWSKI
Assistant Regional Counsel

U. S. Social Security Administration

Re: ROBERT B. BLUM v. JO ANNE B. BARNHART, Case No. 2:04-CV-00911-KJM, Stipulation and Order Settling Attorney's Fees and Costs Pursuant to the Equal Access to Justice Act

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4 ORDER

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6 Upon stipulation of the parties, Counsel for Plaintiff in CASE NO. 2:04-CV-00911-KJM,
7 ROBERT B. BLUM v. Jo Anne B. Barnhart, is hereby awarded attorneys' fees in the amount
8 of \$5,600.00 and costs in the amount of \$150.00, pursuant to the Equal Access to Justice Act.
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10 APPROVED AND SO ORDERED.

11 DATED: January 10, 2006.

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15 UNITED STATES MAGISTRATE JUDGE
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